

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION**

**CASE NO. 22-14308-CIV-CANNON/McCabe**

**REDUS EL, LLC,**

Plaintiff,

v.

**POINTE WEST MASTER PROPERTY  
OWNERS ASSOCIATION, INC.,**

Defendant.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [ECF No. 11]**

**THIS CAUSE** comes before the Court upon Magistrate Judge McCabe's Report and Recommendation on Defendant's Motion to Dismiss, or Alternatively, for a More Definite Statement (the "Report") [ECF No. 11]. On October 25, 2022, Defendant filed a Motion to Dismiss, or Alternatively, for a More Definite Statement (the "Motion") [ECF No. 6]. On December 14, 2022, following referral, Magistrate Judge McCabe issued a Report recommending denial of the Motion [ECF No. 11 pp. 1, 5]. Objections to the Report were due on December 28, 2022 [ECF No. 11 p. 5]. No party filed objections, and the time to do so has expired [ECF No. 11 p. 5].

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.

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28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report, the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

Following de novo review, the Court finds the Report to be well reasoned and correct. For the reasons set forth in the Report [ECF No. 11 pp. 2–5], it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 11] is **ACCEPTED**.
2. The Motion [ECF No. 6] is **DENIED**.
3. On or before **January 16, 2023**, Defendant shall file an answer to the Complaint [ECF No. 1].

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida this 30th day of December 2022.

  
**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record